



PTO-1449
APR 18 2006
U.S. PATENT & TRADEMARK OFFICE
PTO-1449
18/APR/2006
Docket No.: M0765.70044US01
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: FRANCIS et al.
Serial No.: 10/526579
Confirmation No.: 3818
Filed: March 4, 2005
For: DELIVERY OF THERAPEUTICS TO THE BRAIN AND SPINAL CORD
Examiner: Not Yet Assigned
Art Unit: N/A

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: APRIL 12, 2006


(John R. Van Amsterdam)

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced Patent Application:

1. Information Disclosure Statement;
2. PTO-1449 Form with cited references; and
3. Return Receipt Postcard.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 23/2825, under Docket No. M0765.70044US01. A duplicate copy of this paper is enclosed.

Dated: April 12, 2006

Respectfully submitted,

By 
John R. Van Amsterdam
Registration No. 40,212
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600 Atlantic Avenue
Boston, Massachusetts 02210-2206

xNDD



DOCKET NO. M0765.70044US01
(PATENT)

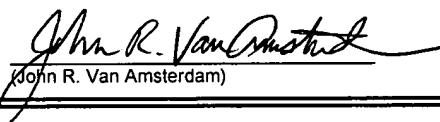
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: FRANCIS et al.
Serial No.: 10/526579
Confirmation No.: 3818
Filed: September 4, 2003
For: DELIVERY OF THERAPEUTICS TO THE BRAIN AND SPINAL CORD
Examiner: Not Yet Assigned
Art Unit: N/A

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Dated: APRIL 12, 2006


John R. Van Amsterdam

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

1012139.1

The Applicant hereby makes the following additional information of record in the above-identified application.

International Search Report for PCT/US03/27816, date of search: March 7, 2006.

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

The following are remarks concerning the other information cited:

PART IV: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Dated: April 12, 2006

Respectfully submitted,
Francis et al., Applicant

By: John R. Van Amsterdam

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FORM PTO-1449/A and B (Modified)				APPLICATION NO.: 10/526579	DOCKET NO.: M0765.70044US01
 APR 18 2006				FILING DATE: September 4, 2003	Confirmation No.: 3818
				APPLICANT: FRANCIS et al.	
Sheet		of	1	GROUP ART UNIT: Unknown	EXAMINER: Not yet Assigned

U.S. PATENT DOCUMENTS

Examiner's Initials#	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A1	5,731,284	B1	Williams	03-24-1998

FOREIGN PATENT DOCUMENTS

Examiner's Initials#	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			
	B1	WO	99/09057		Institut Pasteur	02-25-1999	

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials#	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C1	Bordet, T. et al., "Neuronal Targeting of Cardiotrophin-1 by Coupling with Tetanus Toxin C Fragment," Molecular and Cellular Neuroscience, Vol. 17, May 2001, pgs. 842-854	

EXAMINER	DATE CONSIDERED
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a previous application, Serial No. _____, filing date _____, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE – No copies of U.S. patents, published U.S. patent applications, or pending, unpublished patent applications stored in the USPTO's Image File Wrapper (IFW) system, are included. See 37 CFR §1.98 and 1287OG163. Copies of all other patent(s), publication(s), unpublished, pending U.S. patent applications, or other information listed are provided as required by 37 CFR §1.98 unless 1) such copies were provided in an IDS in an earlier application that complies with 37 CFR §1.98, and 2) the earlier application is relied upon for an earlier filing date under 35 U.S.C. §120.]